

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
APRIL 21, 1965

This regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, April 21, 1965, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - BROWN, CULBERTSON, DOW, WALTON
and KIRSTEN (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, City Attorney Mullen,
Administrative Assistant Peterson and Planning Director
Schroeder.

MINUTES On motion of Councilman Brown, Walton second, the Minutes of April 7, 1965, were approved as written and mailed after deleting the word "sanitary" in the first sentence of the paragraph entitled "Sewer Rates Increased."

PUBLIC HEARINGS

REZONING Notice thereof having been published in accordance with
KETTELMAN ADDN law, Mayor Kirsten called for public hearing on the
TO C-2 proposal recommended by the Planning Commission to
rezone the Kettelman Addition from R-1 One Family
ORD. NO. 788 Residence District to the C-2 General Commercial District.
INTRODUCED Mr. Robert H. Rinn, representing the property owners,
spoke in behalf of the rezoning. Mr. Aaron Schmidt,
1130 Lloyd Street, also spoke in favor of the rezoning.
Mrs. E. R. McKindley, 1124 Woodrow Street, spoke against
the rezoning, stating that a buffer was needed between
the proposed commercial area and the residential area
and a wire fence would not be sufficient. Mrs. Roy
Morgan, 1107 Woodrow Street, felt the C-2 zoning would
depreciate the value of her property. Mr. E. R.
McKindley, 1124 Woodrow Street, asked that the Planning
Commission's screening requirements be clarified.
Mr. Graves stated that at their next meeting the
Planning Commission would be discussing possible screen-
ing requirements of commercial districts which are
adjacent to residential areas. The public hearing
portion of the hearing was then closed. The Council
expressed concern that the residential area be screened
from commercial development, but felt that C-2 was the
proper zoning for the Kettelman Addition. On motion of
Councilman Dow, Walton second, the City Council intro-
duced Ordinance No. 788 rezoning the Kettelman Addition
to C-2 General Commercial District. The Council was in
general agreement that as a temporary measure until
screening requirements were adopted, building permits
for C-2 zones abutting residential areas not be issued
without approval of screening plans by the Council.
Councilman Culbertson moved that the Public Works
Department be instructed not to issue building permits
in C-2 areas adjacent to residential zones. His motion
was seconded by Councilman Brown and carried.

FRONTAGE Notice thereof having been published in accordance with
REQUIREMENTS law, Mayor Kirsten opened the public hearing on the
IN R-3 ZONE recommendation of the Planning Commission that the
zoning ordinance (Chapter 27 of the City Code) be
amended by eliminating the requirement that each four
ORD. NO. 789 apartment units in an R-3 Residential District, Limited
INTRODUCED Multiplex Family, have fifty feet of lot width and
establishing density on a square footage basis only.

Minutes of April 21, 1965, continued

There were no protests, written or oral, and the public hearing portion of the hearing was closed. On motion of Councilman Brown, Dow second, the City Council introduced Ordinance No. 789 amending Chapter 27 of the City Code and thereby establishing density requirements on a square footage basis only for multiple units in the R-3 zone.

REGULATING
SIGNS

ORD. NO. 790
INTRODUCED

The public hearing on the proposed sign ordinance having been continued from the meeting of March 17, 1965, the Council considered the ordinance as prepared in accordance with suggestions made by the Council at the March 17 meeting. The ordinance was reviewed paragraph by paragraph. On motion of Councilman Culbertson, Dow second, under the section on General Provisions, the Council approved the following regulation: "Flashing, moving or animated signs shall be subject to the issuance of a use permit, and no such permit shall be issued if the sign will tend to cause a traffic hazard." It was generally agreed as follows on decoration signs: "Decoration signs for holidays which are maintained for a period not exceeding one month are permitted and not subject to height, area or lighting limitations. No building permit is required." On motion of Councilman Walton, Culbertson second, the Council agreed to the following: "All signs, excepting as provided in part (5) of this section (Outdoor Advertising Displays Adjacent to Freeways), in violation of the provisions of this ordinance shall be made to conform with said provisions or shall be removed within five years of the effective date of this ordinance or within five years of the annexation to the City of the property upon which the sign is located, whichever is the later date. All flashing, moving and animated signs existing in the City on the effective date of this ordinance shall require a use permit or shall be removed within five years of the effective date of this ordinance."

On motion of Councilman Walton, Culbertson second, in reference to signs in Residential and Commercial-Professional Office zones, the first sentence was amended to read, "In R and C-P zones neon and similar types of direct-lighted signs are prohibited," and subsection (e) was amended to read, "One sign not exceeding one square foot of sign area for each five lineal feet of street frontage which identifies office uses in the commercial office zone, maximum size not to exceed twelve square feet." Under Neighborhood Commercial and Shopping Center Zones, Councilman Dow, Walton second, moved that the first sentence be amended to read as follows: "Signs are permitted in the C-1 and C-S zones, subject to the following conditions:" The motion carried by the following vote:

AYES: Councilmen - BROWN, DOW and WALTON

NOES: Councilmen - CULBERTSON and KIRSTEN

The Council then recessed for five minutes.

CAPITAL
IMPROVEMENT
PROGRAM
FINANCIAL
REPORT

Upon reconvening the Council, Mayor Kirsten introduced Mr. Mel Davison of Stone and Youngberg. Mr. Davison presented the written report on financing of the proposed Capital Improvement Program. Mayor Kirsten thanked Mr. Davison for his work on the report and his explanations to the Council made on previous occasions.

SIGN
ORDINANCE
CONTINUED

Discussion then continued on the Neighborhood Commercial and Shopping Center Zone regulations of the Sign Ordinance. Councilman Walton moved that the following

Minutes of April 21, 1965, continued

ORD. NO. 790
INTRODUCED

be deleted: "Free-standing signs which are supported primarily by structures on the ground shall be subject to the issuance of a use permit." His motion was seconded by Councilman Dow and carried. Councilman Culbertson moved that the following change be made: "Signs may not project more than one foot over the public right of way, except that signs may be mounted on any marquee in the public right of way provided:

"(i) Signs shall be placed flush and have a maximum height of two feet when attached to the front of a marquee.

"(ii) Signs placed under a marquee shall not exceed five square feet.

"(iii) Theater marquee signs, when an integral part of a marquee, may overhang the public right of way a distance of ten feet.

"(iv) In no case shall such signs extend closer than two feet from the back of the curb."

His motion was seconded by Councilman Dow and carried. There were no changes in the section on signs in General Commercial and Industrial Zones. In reference to Outdoor Advertising Displays Adjacent to Freeways, Councilman Walton moved that the first paragraph be changed as follows: "No advertising displays shall be placed or maintained on property adjacent to a section of a freeway regardless of the zoning district in which it is located if the advertising display is designated to be viewed primarily by persons travelling on such freeway." Mr. Harvey Berglund of the Ryan Advertising Agency objected to the paragraph requiring that all signs in violation of the section on Outdoor Advertising Adjacent to Freeways be removed within two year limitations. Mr. Graves said the City was following the State requirements in order to be eligible for freeway landscaping. Mr. Berglund was of the opinion that the State was not consistent in its requirements. Councilman Walton said that if the State said in writing that up to five years would be allowed for removal of signs in violation he would so move. On motion of Councilman Dow, Culbertson second, the City Council introduced Ordinance No. 790 regulating signs.

PLANNING COMMISSION

PC ACTIONS

Mr. Graves read the report of the Planning Commission which had taken the following actions:

1. Denied the request of Mr. Hugh A. Dow for C-1, Commercial zoning at the southwest corner of North Han Lane and West Elm Street to establish a non-conforming retail nursery as a conforming use.
2. Denied the request of Mr. Ridgely L. Dove for a use permit to establish an auto body and fender shop at the northwest corner of South Cherokee Lane and West Walnut Street.
3. Approved the request of Mr. Albert C. Cross for a variance on his property at 201 West Vine Street of ten feet in the zoning requirement.

Recommended to the County Planning Commission
Denial of the request of Mr. Ben Heiden for a use
permit to establish an auto-repair garage on the

Minutes of April 21, 1965, continued

west side of Willow Way, 105 feet north of Cochran Road and recommended that the County Planning Commission initiate action to precisely zone the area bounded by West Tokay Street on the north, the Woodbridge Irrigation District Canal on the west; Cochran Road on the south, and Lower Sacramento Road on the east for single-family residential purposes.

5. Recommended to the County Planning Commission approval of the request of Mrs. Mildred L. Wilson by Mr. James L. Gerard to expand the existing Lodi Memorial Cemetery on East Pine Street onto the twenty acres adjoining the present cemetery to the west.

COMMUNICATIONS

INTER STATE HIGHWAYS	Letter from the State Division of Highways regarding a study for planning a continuing interstate highway program beyond 1972 and stating that a committee meeting thereon will be held on May 5, 1965 at which time problems of a general nature may be presented to the committee.
CC RE TURNER ROAD OFF-RAMP	Letter from the Lodi District Chamber of Commerce requesting the City to ask the State Division of Highways to make a study of the problems relating to the off-ramp from 99 Freeway north onto Turner Road and Cherokee Lane.
RES. NO. 2812 ADOPTED	On motion of Councilman Walton, Dow second, the City Council adopted Resolution No. 2812 requesting the State to make such a study.
LODI IRON WORKS	A letter from the Lodi Iron Works requests a variance from the building setback line on Sacramento Street in order to add an encroaching second floor to the Company's office building at 820 South Sacramento Street since the present building encroaches two feet within the setback line. On motion of Councilman Dow, Walton second, the request was referred to the City Manager for his recommendation and report at the meeting of May 5, 1965.
APPEAL RE PETITE BEAUTY SHOP DENIED	Copy of a resolution of the County Board of Supervisors denying the appeal of the City on the issuance of a use permit by the County Planning Commission to the Petite Beauty Shop on West Lane.
GAR WOOD IND. RE DISPOSAL CO.	Communication to the Mayor from Gar Wood Industries complimenting the City on having one of the most progressive disposal companies in Northern California and stating the local company was used by Gar Wood in making sales in other areas and was a means of advertising the City of Lodi.
LEGISLATION - AB 1313	Letter from "Citizens for Decent Literature - Ventura County" requesting the City Council to support AB 1313 regarding obscene literature. Ordered filed.
LEGISLATION AB 2050	Letter from the City of Santa Monica requesting support of AB 2050 regarding freeways. Ordered filed.
LEGISLATION AB 1218	Letter from the City of Redding requesting support of AB 1218 pertaining to the purchase of revenue producing facilities by local agencies. Ordered filed.

REPORTS OF THE CITY MANAGER

CLAIMS	Claims in the amount of \$311,890.67 were approved on motion of Councilman Dow, Walton second.
--------	--

Minutes of April 21, 1965, continued

COUNTY
ELECTION
SERVICE
RES. NO. 2813
ADOPTED

City Manager Graves presented an agreement from the County Registration-Election Department for its services in connection with the June 8 bond election. On motion of Councilman Dow, Walton second, the City Council adopted Resolution No. 2813 approving the agreement and authorizing its execution by the Mayor.

PUBLIC INTER-
EST DEMANDS
CAPITAL
IMPROVEMENTS

The following resolution was read in full and then passed on motion of Councilman Dow, Walton second:

RESOLUTION NO. 2814

RES. NO. 2814
ADOPTED

RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE ACQUISITION, CONSTRUCTION AND COMPLETION BY THE CITY OF LODI OF EACH OF THE FOLLOWING MUNICIPAL IMPROVEMENTS, TO WIT:

SEWER SYSTEM IMPROVEMENTS,
PUBLIC SAFETY BUILDING, AND
STORM DRAINAGE IMPROVEMENTS;

AND THAT THE COST OF SAID MUNICIPAL IMPROVEMENTS, AND EACH OF THEM, WILL REQUIRE AN EXPENDITURE GREATER THAN THE AMOUNT ALLOWED THEREFOR BY THE ANNUAL TAX LEVY.

BE IT RESOLVED by the City Council of the City of Lodi, as follows:

Section 1. That the public interest and necessity demand the acquisition, construction and completion by said City of the following municipal improvements, and each of them, to wit:

(A) Sewer System Improvements: Sewer system improvements, including acquisition of land for treatment plant site, treatment plant facilities for sewage and industrial waste, outfall line, collection mains, pipes and connections; easements and rights of way; and other works, property or structures necessary or convenient for sewer system improvements for the City of Lodi.

(B) Public Safety Building: A new public safety building, including facilities for central fire station, Justice Court, police headquarters and jail, and civil disaster emergency operation center, together with landscaping and other site developments and off-street public parking facilities; lands, easements and rights of way; and other works, property or structures necessary or convenient for a new public safety building for the City of Lodi.

(C) Storm Drainage Improvements: Storm drainage improvements, including acquisition of lands for drainage basins, construction of drainage basins (which will be used incidentally for park and playground purposes), inflow and outflow structures, dry wells, filter caps, piping and pumps, together with landscaping and fencing; easements and rights of way; and other works, property or structures necessary or convenient for storm drainage improvements for the City of Lodi.

Section 2. That the acquisition, construction and completion of said municipal improvements, and each of them, are necessary and convenient to carry out the objects, purposes and powers of said City.

Minutes of April 21, 1965, continued

Section 3. That the cost of the acquisition, construction and completion of said municipal improvements, and each of them, is and will be too great to be paid out of the ordinary annual income and revenue of said City, and that each of said municipal improvements will require an expenditure greater than the amount allowed therefor by the annual tax levy and that said City should incur a bonded indebtedness therefor.

PASSED AND ADOPTED this 21st day of April, 1965, by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW, WALTON
and KIRSTEN

NOES: Councilmen - None

ABSENT: Councilmen - None

CALLING FOR
SPECIAL BOND
ELECTION

ORD. NO. 791
INTRODUCED

After having been read in full, on motion of Councilman Brown, Dow second, the Council introduced Ordinance No. 791, "AN ORDINANCE CALLING A SPECIAL MUNICIPAL BOND ELECTION IN THE CITY OF LODI FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID CITY THE MEASURES OF INCURRING A BONDED INDEBTEDNESS OF SAID CITY FOR THE ACQUISITION, CONSTRUCTION AND COMPLETION OF THE FOLLOWING MUNICIPAL IMPROVEMENTS, AND EACH OF THEM, TO WIT:

SEWER SYSTEM IMPROVEMENTS,
PUBLIC SAFETY BUILDING, AND
STORM DRAINAGE IMPROVEMENTS:

DECLARING THE ESTIMATED COST OF SAID MUNICIPAL IMPROVEMENTS, AND EACH OF THEM, THE AMOUNT OF THE PRINCIPAL OF SAID INDEBTEDNESS TO BE INCURRED THEREFOR, AND THE MAXIMUM RATE OF INTEREST TO BE PAID THEREON; MAKING PROVISION FOR THE LEVY AND COLLECTION OF TAXES; AND FIXING THE DATE OF SAID ELECTION, THE MANNER OF HOLDING THE SAME, ESTABLISHING ELECTION PRECINCTS AND POLLING PLACES FOR SAID ELECTION, APPOINTING ELECTION OFFICERS THEREFOR, AND PROVIDING FOR NOTICE THEREOF."

The motion passed by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW, WALTON
and KIRSTEN

NOES: Councilmen - None

ABSENT: Councilmen - None

WITHDRAW
KETTELMAN ADDN.
FROM FIRE DIST.
RES. NO. 2815
ADOPTED

On motion of Councilman Culbertson, Dow second, the City Council by unanimous vote adopted Resolution No. 2815 withdrawing the Kettelman Addition from the Woodbridge Rural County Fire Protection District.

SPECS -
LAWRENCE PARK
RESTROOM

The City Manager presented specifications for a prefab metal restroom building for Lawrence Park. On motion of Councilman Dow, Culbertson second, the City Council approved the specifications and authorized calling for bids thereon.

ORDER
VACATING
EASEMENT

The Director of Public Works has recommended abandonment of a portion of easement in Lots 3 and 4 of Hutchins Oak Street Addition Subdivision. There are no utilities in the area to be abandoned and the City has no present or prospective future need for it. On motion of Councilman Dow, Brown second, the City Council adopted an Order vacating the portion of easement as recommended.

Minutes of April 21, 1965, continued

SPECS -
E. LODI AVE.

Mr. Graves presented specifications for the reconstruction of East Lodi Avenue and stated the cost of this project would exceed the original estimate so several other projects would be deferred. On motion of Councilman Dow, Walton second, the City Council approved the specifications for the East Lodi Avenue improvements and authorized calling for bids thereon.

BASIN B-1
LANDSCAPE
ARCHITECT

Mr. Graves requested that the Council authorize the hiring of a landscape architect to design Basin B-1 adjacent to Tokay Street south of Hutchins Sunset Park. The Woods School District is proceeding with preliminary site planning for a school in this area and the Director of Public Works feels it would be advantageous to have the City and School District work together on the site planning. On motion of Councilman Walton, Dow second, the City Council authorized retaining a landscape architect for Basin B-1.

TRACTION CO.
AGREEMENT

An agreement from Central California Traction Company was presented for Council approval. It would permit the crossing of the City's power lines over the Company's property approximately 200 feet west of the freeway. On motion of Councilman Walton, Dow second, the City Council adopted Resolution No. 2816 authorizing the Mayor to execute the agreement on behalf of the City.

RES. NO. 2816
ADOPTED

ORDINANCES

1964 EDITION
PLUMBING CODE

ORD. NO. 784
ADOPTED

ORDINANCE NO. 784, entitled "AN ORDINANCE ADOPTING THE 'WESTERN PLUMBING OFFICIALS UNIFORM PLUMBING CODE, 1964 EDITION,' PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING SECTIONS 18.1 TO 18.4 INCLUSIVE OF THE CODE OF THE CITY OF LODI AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH," having been introduced at the regular meeting of April 7, 1965, was brought up for passage on motion of Councilman Culbertson, Brown second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW,
WALTON and KIRSTEN

NOES: Councilmen - None

ABSENT: Councilmen - None

REZONE SW COR.
IRIS DR. AND
HAM LANE TO R-3

ORD. NO. 785
ADOPTED

ORDINANCE NO. 785, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY REZONING CERTAIN PROPERTY AT THE SOUTHWEST CORNER OF IRIS DRIVE AND HAM LANE TO BE IN THE R-3 LIMITED MULTIPLE FAMILY RESIDENTIAL DISTRICT," having been introduced at the regular meeting of April 7, 1965, was brought up for passage on motion of Councilman Brown, Culbertson second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW,
WALTON and KIRSTEN

NOES: Councilmen - None

ABSENT: Councilmen - None

Minutes of April 21, 1965, continued

WM GRETSINGER
RE WATER AND
SEWER RATES

Mr. William Gretsinger, 904 W. Turner Road, voiced his objections to the increase in water and sewer rates. As a landlord he felt he was being discriminated against. Mayor Kirsten explained to Mr. Gretsinger the reason for the rate increases and the need for the bond election and invited him to come to his office for further discussion if he so desired.

SEWER RATES
INCREASED

ORD. NO. 786
ADOPTED

ORDINANCE NO. 786, entitled "AN ORDINANCE AMENDING SECTIONS 20-2, 20-3 AND 20-4 OF THE CODE OF THE CITY OF LODI AND THEREBY PROVIDING FOR AN INCREASE IN THE RATES TO BE CHARGED FOR SEWAGE, STORM WATER AND INDUSTRIAL WASTES REMOVAL," having been introduced at the regular meeting of April 7, 1965, was brought up for passage on motion of Councilman Brown, Dow second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, CULBERTSON, DOW,
WALTON and KIRSTEN

NOES: Councilmen - None

ABSENT: Councilmen - None

WATER RATES
INCREASED

ORD. NO. 787
ADOPTED

ORDINANCE NO. 787, entitled "AN ORDINANCE AMENDING SECTION 26-1 OF THE CODE OF THE CITY OF LODI AND THEREBY PROVIDING FOR AN INCREASE IN WATER RATES," having been introduced at the regular meeting of April 7, 1965, was brought up for passage on motion of Councilman Dow, Culbertson second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote.

AYES: Councilmen - BROWN, CULBERTSON, DOW,
WALTON and KIRSTEN

NOES: Councilmen - None


ABSENT: Councilmen - None

WIDENING
S. SACTO ST.
AT TOKAY ST.

Councilman Brown reported that Mr. J. P. Liebig had withdrawn his offer made a year or so ago to pay for the entire cost of installation of sidewalk on the Sacramento Street side of his property at the corner of Tokay if the City would widen the street. However, Mr. Liebig is willing to pay for one foot of sidewalk. At its meeting of March 3, 1965, the City Council had approved moving the curb along Sacramento Street back 8.5 feet abutting the Liebig property in order to eliminate the bottleneck at the Sacramento-Tokay Street intersection providing Mr. Liebig would pay for the sidewalk. Since the widening of the street would be for the public benefit, Councilman Culbertson moved that the City proceed with the widening project and accept the proposal of Mr. Liebig that he pay for one foot of sidewalk. The motion was seconded by Councilman Brown and carried.

ADJOURNMENT

At 11:45 p.m. the Mayor adjourned the meeting to 5:30 p.m. of April 28, 1965.

Attest: 
City Clerk